

ATTACHMENT A

SFPUC Proposed Modifications to RPS Eligibility Guidebook (in *red and italicized*)

Limitations on RPS Eligibility:

- 1) Generation units certified for the RPS pursuant to this Section II.F.3 are eligible for the RPS starting on January 1, 2011, consistent with Public Utilities Code section 399.12 (e)(1), as amended by Senate Bill X1-2 and subsequently clarified and amended by Assembly Bill 1478.
- 2) *RPS-eligible* Electricity *products* from the generating unit certified for the RPS pursuant to this Section II.F.3 may only be used to satisfy the RPS procurement requirements of the retail seller or POU that procured electricity from the generation unit as of December 31, 2005, *except as provided in paragraph (3), below*. If multiple retail sellers or POUs procured electricity from the generation unit as of December 31, 2005, only the retail seller or POU that owned the generation unit as of December 31, 2005, may use electricity from the generation unit to meet its RPS procurement requirements, except as provided in paragraph (3) below.
- 3) A POU that meets the criteria of Public Utilities Code section 399.30 (j) may sell to another POU up to 100,000 megawatt-hours of *RPS-eligible* electricity from all generation units certified for the RPS pursuant to this Section II.F.3, and that electricity may be used by the POU that purchased the electricity to meet its RPS procurement requirements. *RPS-eligible* Electricity from the certified generation units may be sold to multiple POUs, but the total of all ~~such~~ sales of *RPS-eligible electricity products* shall not exceed 100,000 megawatt-hours.
- 4) A POU that meets the criteria of Public Utilities Code section 399.30 (j) shall report to the Energy Commission all sales of *RPS-eligible* electricity from generation units certified for the RPS pursuant to this Section II.F.3 to ensure compliance with the 100,000 megawatt-hour limit of paragraph (3). The *RPS-eligible* electricity sales shall be reported to the Energy Commission as specified in Section V.B.6. of this guidebook.

To qualify for RPS certification, the applicant for the generation unit shall provide the additional ~~Additional~~ documentation described below ~~must be included~~ with a complete application for RPS certification ~~or pre-certification~~. An applicant must provide the following additional information to substantiate that the hydroelectric generation unit is operated as part of a water supply or conveyance system:

- a) The ~~C~~urrent water supply permit issued by the California Department of Public Health, if applicable, or its equivalent from another state or local government agency.
- b) The ~~C~~urrent hydroelectric project license, permits, or exemption from licensing from the Federal Energy Regulatory Commission (FERC), if applicable, or the equivalent from another federal, state, or local government agency. If no FERC hydroelectric project licenses, permits, or exemptions were issued for the facility, the applicant must submit

documentation explaining why the FERC project licenses, permits, or exemptions are not applicable to the facility.

- c) Documentation showing the water supply ~~or and~~ conveyance system was ~~initially~~ built ~~solely~~ for the distribution of water for agricultural, municipal, or industrial consumption and operated primarily for this purpose.

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Add Section V.B.6.

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6. Reporting Sales from Existing Hydroelectric Generation Units Operated as Part of a Water Supply or Conveyance System.

A POU that meets the criteria of Public Utilities Code section 399.30 (j) shall report annually to the Energy Commission on all sales of *RPS-eligible* electricity *products* from hydroelectric generation units certified for the RPS pursuant to Section II.F.3. of this guidebook. By July 1 of each year, the POU shall submit an annual report to the Energy Commission that includes the information in paragraphs (1) – (3) below for all *RPS-eligible* electricity *product* sales from certified hydroelectric generation units made in the prior calendar year.

- a) The name and RPS identification number of each certified generation unit from which electricity was sold.
- b) The quantity of *RPS-eligible* electricity *products* sold, in megawatt-hours, from each certified generation unit per month for the previous calendar year.
- c) The name and contact information of the POU that purchased *the RPS-eligible* electricity *products* from the certified generation unit.

A POU may combine the annual report required pursuant to this subsection with other annual reports due to the Energy Commission, provided the reports are submitted to the Energy Commission by July 1 of each year.